

# YOUTH SERVICES POLICY

<b>Title:</b> Driver Safety Program <b>Next Annual Review Date:</b> 04/09/2010	<b>Type:</b> A. Administrative <b>Sub Type:</b> 2. Personnel <b>Number:</b> A.2.48
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<b>References:</b> ACA Standards 2-CO-1B-11, 2-CO-1C-05 (Administration of Correctional Agencies), 4-JCF-1C-17, 4-JCF-6B-02 (Performance-Based Standards for Juvenile Correctional Facilities); La. R.S. 39:1543, ORM Rule, Title 37 Insurance, Part 1 RM, State's Fleet Management Program, Title 4, Part V, Subchapter F; Title 34, Part XI of the Louisiana Administrative Code, YS Policy A.2.7 "Drug Free Workplace"	
<b>STATUS: Approved</b>	
<b>Approved By:</b> Mary L. Livers, Deputy Secretary	<b>Date of Approval:</b> 04/09/2009

## I. AUTHORITY:

Deputy Secretary of Youth Services as contained in La. R.S. 36:405.

## II. PURPOSE:

To increase the safety of our employees, control the use of vehicles used in the performance of State related business, reduce the State's liability exposure, reduce loss expenses, achieve accountability, and meet the requirements of Louisiana Revised Statute 39:1543.(1)(f) by establishing and maintaining an effective Driver Safety Program.

## III. APPLICABILITY:

This policy applies to all employees of Youth Services (YS). Each Unit Head is responsible for ensuring that all necessary procedures are in place to comply with the provisions of this policy.

## IV. DEFINITIONS:

**Accident** - Any incident in which the vehicle comes in contact with another vehicle, person, object, or animal, which results in death, personal injury, or property damage, regardless of who was injured, what was damaged or to what extent, where it occurred, or who was responsible.

**Authorization/Driving History Form (DA 2054)** - A record that is maintained by the unit's safety officer on each employee who drives for the purpose of conducting state business. The form includes the employee's current personal information, employment information, date authorized to drive, date of last defensive driving class, type/class of driver's license the employee holds, certification by the employee that he/she maintains liability insurance as required by state law and the signature of the unit head authorizing the employee to drive.

**Employees** - All staff employed by Youth Services that are classified, unclassified, WAE (when actually employed) and student workers.

**Fleet Control Officer** - Staff designated by the unit head to monitor the requirements of the State's Fleet Management Program.

**High Risk Driver** –

- a. An employee having three or more convictions, guilty pleas, and/or nolo contendere pleas for moving violations within the previous 12 month period, or
- b. An employee having a single conviction, guilty plea, or nolo contendere plea for operating a vehicle while intoxicated, hit and run driving, vehicular negligent injury, reckless operation of a vehicle, or similar violation within the previous twelve (12) month period.

**Louisiana Defensive Driving Course** - A course on defensive driving techniques which introduces techniques to fine tune employees' driving skills.

**Official Driving Record (ODR)** - Record maintained by the Office of Motor Vehicles on each driver in the State of Louisiana containing history of driver violations and accidents.

**Safety Officer** - Person(s) responsible for bringing all affected employees into compliance and ensuring continuing compliance with the requirements of this Driver Safety Program.

**State Vehicle** - Any licensed vehicle owned, leased and/or rented by the State of Louisiana.

**Unauthorized Driver** - A driver shall be considered "NOT" authorized if any of the following occur:

1. Meets the definition of high-risk driver;

2. Does not complete/pass the ORM recognized driver safety course within the allowed time period;
3. Employee does not hold a valid driver's license;
4. The ODR is not cleared of all flags as noted in Section VI.F.5.; or
5. The Authorization and Driving History Form (see form DA 2054 attached) has not been completed and signed by both the employee and applicable Unit Head upon hire and annually thereafter.
6. When Investigative Services determine the misuse of state vehicles, Investigative Services staff shall recommend unauthorized driver status to the unit head for approval and processing as outlined in this policy.

**Unit Head** - Undersecretary, Assistant Secretary, Deputy Assistant Secretaries, Deputy Undersecretary, Facility Directors, Regional Managers and/or designee.

**V. POLICY:**

It is the Deputy Secretary's policy that all YS employees shall meet the requirements of the Driver Safety Program, which is part of the overall Office of Risk Management's Loss Prevention Program. The State of Louisiana provides insurance coverage for liability and physical damage to state owned and leased licensed vehicles, and provides excess liability coverage over the individual's private insurance required by law for employees' private vehicles used in the course and scope of their state employment.

**VI. PROCEDURES:**

**A. AUTHORIZATION PROCESS**

1. Each applicable Unit Head shall designate the person(s) responsible for bringing all affected employees into compliance and ensuring continuing compliance with the requirements of this Driver Safety Program (referred to herein as "Safety Officer").
2. Each applicable Unit Head is responsible for designating which employees are authorized to drive state vehicles or personal vehicles on state business.

3. Personal vehicle usage will be determined on a case-by-case basis with prior written travel authorization. Employees who drive their personal vehicle on state business shall be required to show proof of insurance annually.
4. Any employee whose job duties involve the operation of state vehicles shall complete form DA 2054, which is used to obtain his/her Official Driver Record (ODR) from the Department of Public Safety, Office of Motor Vehicles.
5. The Authorization/History Form, along with the ODR, shall be submitted to the applicable Deputy Assistant Secretary, Facility Director and/or designee for review. All employees must complete the ORM approved Defensive Driving Course prior to the Unit Head's approval to operate state vehicles.
6. Any employee found to be a high-risk driver shall not be authorized to drive either a state vehicle or personal vehicle on state business for twelve (12) months from the time the agency becomes aware of the high risk status.

After the twelve month period, the employee shall complete an ORM approved Defensive Driving Course prior to reinstatement of driving privilege.

7. Staff who have never been issued a driver's license or owned a vehicle must be placed on the unauthorized driver's list. When completing the DA 2054 form, staff shall attach a copy of their Louisiana Identification Card so that the ODR can be obtained to verify there is no history of a driving record.
8. If an employee is not authorized to drive, that employee, his/her supervisor, the fleet control officer and control center will be notified in writing that he/she is not authorized to drive on state business.
9. If an employee resides outside the state of Louisiana and possesses an out-of-state license, the unit must take action to acquire a certified copy of the ODR from that state. The employee will be placed on the unauthorized list until the document is received, reviewed and approved.

In some cases, i.e., Mississippi, the employee may have to personally obtain the certified out-of-state ODR. In this instance, reimbursement of

costs may be refunded with petty cash after prior approval of 156-B process.

If an employee currently resides in the state of Louisiana and possesses an out-of-state driver's license, he/she will be given 45 days to obtain a valid Louisiana driver's license. A copy of the driver's license must be provided to the safety officer for verification. If the employee does not provide this document within 45 days this person must be placed on the unauthorized list.

10. Subsequent to completion of an ORM approved Defensive Driving Course; all authorized drivers must complete a refresher course at least once every three years unless their class of license requires additional training or testing. Prior to operating a state or personal vehicle on state business, the employee must provide proof to the Unit Head that he/she has completed an ORM approved Defensive Driving Course and proof of insurance for personal vehicle usage.
11. The Deputy Secretary shall appoint Central Office Human Resource personnel to monitor compliance with the Driver Safety Program. The applicable Unit Head shall:
  - a. Forward the original DA 2054 form and ODR on each authorized driver to the assigned Central Office Human Resource personnel.
  - b. Maintain for each employee, in a confidential safety file, copies of the following:
    - 1) The Authorization/History Form;
    - 2) the DA 2054;
    - 3) the ODR;
    - 4) a copy of employee's driver's license;
    - 5) a copy of proof of insurance, if applicable; and
    - 6) the employee notification of being placed on the unauthorized drivers list, if applicable.
  - c. Maintain and monitor each employee's Defensive Driving training date to ensure compliance with ORM standards and this policy.
  - d. Secure facilities shall provide a list of unauthorized drivers to the control center, fleet control officer and applicable supervisors to ensure vehicle keys are not issued to unauthorized drivers. This list shall be updated monthly if needed in the event of an accident, change of status of driver's license or new hires. This list must be signed and dated by the Facility Director.
  - e. In the event of an accident or change of status of driver's license, the safety officer shall notify the Unit Head.

12. The ODR of each potential driver shall be reviewed upon hire by the applicable Unit Head or designee and then annually thereafter. The annual review of each driver shall occur in conjunction with the employee's anniversary date. The Unit Head and/or designee shall have five (5) working days from receipt of the DA 2054 form and ODR to review and determine if the employee should be authorized to drive. The Safety Officer shall monitor and report on the following:
  - a. Drivers experiencing a change in status of their license (see Section VI.C.2.);
  - b. Drivers who have been involved in an accident or received a moving violation citation within the past twelve month period (see Section VI.C.3.);
  - c. Drivers that have a "No insurance (NI)" flag on their ODR's shall be placed on the unauthorized list. The safety officer shall advise the employee in writing that he/she has been placed on the unauthorized list, and he must submit documentation to the safety officer within 30 days verifying that the NI flag has been cleared. If the employee fails to clear the NI flag within 30 days of notification, he may be subject to disciplinary action. When considering disciplinary action the Unit Head shall take into account the significance of the employee driving a personal vehicle as it relates to the employee's essential job functions. The Unit Head's decision must be documented by processing the disciplinary action or by providing the safety officer with documentation that states that the employee will remain on the unauthorized list. Unauthorized list documentation must be maintained in the employee's driving record file; and
  - d. Staff Development personnel shall monitor and report on drivers due to attend the Louisiana Defensive Driving Course.

## **B. DAILY VEHICLE LOG / PREVENTIVE MAINTENANCE**

1. Whenever an authorized driver checks out a state vehicle he/she shall ensure that the Daily Vehicle Log [Attachment OJJ Replacement/2008] is completed. Upon return, the daily vehicle log shall be submitted to the fleet control officer.

Preventive maintenance shall be conducted on each vehicle assigned to the unit's master inventory in accordance with the manufacturer's recommendations and documented on the Daily Vehicle Log. Executive staff that has been issued an assigned vehicle shall ensure that the preventive maintenance is conducted on assigned vehicle in accordance with the manufacturer's recommendations and documented on the Daily Vehicle Log.

All authorized drivers shall conduct a safety inspection of assigned vehicle that includes fluid levels, turn signals, brakes, brake lights, gauges, tire inflation, windshield, as needed. This inspection will be documented monthly on the Daily Vehicle Log.

Any discrepancies or concerns noted during an inspection shall be reported to the fleet control officer for all pool vehicles, or their immediate supervisor for assigned vehicles, to immediately arrange for repairs.

2. Employees who have been assigned state vehicles shall complete the daily vehicle log and on the last day of the month submit to their supervisor for review and approval, by signature. The daily vehicle log must then be forwarded to the fleet control officer within three days.
3. The fleet control officer shall ensure that vehicles and equipment are properly maintained in accordance with the manufacturer's recommendations and that maintenance records are retained on file.
4. The fleet control officer shall ensure compliance with the State's Fleet Management Program guidelines that includes preventive maintenance procedures and schedule for each vehicle in the program.

#### **C. AUTHORIZED DRIVER REPORTING REQUIREMENTS**

1. Employees who are authorized to drive state vehicles are responsible for reporting any unsafe conditions observed in vehicles used in the course of their duties to their safety officer. Additionally, the employee shall check the vehicle and make sure that it contains a blank Louisiana State Driver Safety Program Accident Report (see form DA 2041 attached).
2. All authorized drivers are required to maintain a valid driver's license for the class of vehicle they are operating. Any change in the status of his/her license (i.e. suspension, revocation or expiration of driver's license) shall be reported to his/her supervisor and safety officer immediately.
3. Any authorized driver, who receives a citation for a moving violation, whether personal or job-related, shall report such violation to his/her supervisor and the safety officer. If a citation is received in a state vehicle on official business, a copy of the citation shall be forwarded to the safety officer. Notification shall be made upon the first day the driver returns to work following the violation.

**D. ACCIDENTS**

1. All accidents occurring while on duty (regardless of how minor) shall be reported to the driver's supervisor and safety officer on the day of the accident or as soon as possible.
2. Any driver involved in an accident while operating a state vehicle shall immediately complete page one of the DA 2041 form at the scene of the accident. The driver should not leave the scene until he/she has obtained all of the information required to complete page one of the DA 2041 form.
3. The completed DA 2041 form shall be given to the employee's supervisor immediately upon the driver's return to the workplace so that it may be forwarded to the safety officer within 24 hours of the accident for submission to the Office of Risk Management via fax within 48 hours. If the driver is not able to complete this portion of the accident report, it should be completed by the driver's supervisor to the best of his/her ability.
4. As soon as possible after the accident, the driver shall obtain a copy of the police report (if one was completed). All of the above information shall be forwarded to the driver's supervisor for review and submission to the safety officer for further processing with the Office of Risk Management.
5. If the employee is injured during the accident, the Employer Report of Injury/Illness (DA 1973) shall be completed by Human Resources staff and submitted to the Office of Risk Management within 72 hours.
6. An employee who is involved in an accident driving a state vehicle or personal vehicle on state business that results in bodily injury or property damage shall be subject to drug testing.
7. Employees found to have violated this policy may be subject to disciplinary action.

**E. INSTRUCTIONS FOR THE COMPLETION AND REVIEW OF THE AUTHORIZATION AND DRIVING HISTORY FORM (DA 2054)**

1. The employee shall complete and sign form DA 2054.
  - a. Complete all of the employee identification information at the top of the form. (Name, address, date of birth, license number, license expiration date, etc.)



- b. Complete all the fields regarding employment.
  - c. Enter the most recent date the employee completed an ORM recognized defensive driving class. Ensure that this field is kept current.
  - d. Indicate the type of driver's license the employee holds. Verify that the employee's license is applicable to the type of vehicle he/she will be driving on state business.
  - e. If the employee may be authorized during the course of their employment to use their personal vehicle on state business, then they shall complete the "use of private vehicles" section certifying that they carry liability insurance as required by state law. Proof of insurance must be attached to the DA 2054 form for review.
2. The applicable Unit Head and/or designee shall review the official driving record issued by the State Office of Motor Vehicles to ensure the employee does not meet the high-risk driver definition.
3. The applicable Unit Head and/or designee shall verify the employee passed the ORM approved Defensive Driving Course within 90 days of hire and is repeated every 3 years.
4. If the employee meets all of the above requirements, that employee may be authorized to drive on state business.
5. Only the applicable Unit Head and/or designee may review and authorize an employee to drive on state business. The authorization form shall be signed and dated by the person reviewing and approving the DA 2054 form. Name stamps are not allowed.
6. The ODR, copy of employee driver's license, and copy of proof of insurance shall be attached to the DA 2054 form.
7. A list indicating who is not authorized to drive on state business shall be completed after all employee records have been reviewed and then released to the applicable supervisor, control center and fleet control officer. This list must be signed and dated by the applicable Unit Head.
8. Driver safety files must be maintained on all employees for a minimum of 3 years.

#### **F. INSTRUCTIONS FOR REVIEW OF OFFICIAL DRIVING RECORD**

1. Verify that the employee's name, address and license number match the information on the DA 2054 form.
2. Check the license expiration date.
3. Check the license class and any restrictions that may affect the employee's ability to drive. If needed, a partial list of restriction codes are provided in the Loss Prevention Manual dated 2007. A complete list may be found at the Louisiana Department of Public Safety at [www.dps.state.la.us](http://www.dps.state.la.us).
4. Verify any violations that were received in the past 12 months and whether these violations meet the high-risk driver definition.
5. Ensure that the following flags are not noted on the record above the violations section:

NI	No Insurance
SUS	Suspended
REV	Revoked
AF	Affidavit Outstanding
PUL	Pull Notice for License

#### **G. VEHICLE SAFETY KITS:**

Each state owned vehicle shall be equipped with a safety kit that includes at a minimum: a first aid kit, small fire extinguisher and reflective triangle in the event of breakdown. Flares are not allowed in state-owned vehicles.

#### **H. TRAINING**

1. All authorized drivers must complete an ORM approved Defensive Driving Course within three months of employment and a refresher course at least once every three years unless their class of license requires additional training or testing. Prior to operating a state or private vehicle on state business, the employee must provide proof to the Unit Head that he/she has completed an ORM approved Defensive Driving Course.
3. Drivers who have violations indicated on their ODR shall be required to take a defensive driving course within 90 days of notification of conviction.

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3. A copy of this policy shall be issued to all drivers upon final approval. All new employees will receive a copy of this policy upon completing the DA 2054 form.

**Previous Regulation/Policy Number:** A.2.48  
**Previous Effective Date:** 5/30/2008

**Attachments/References:**



Vehicle Log.pdf



DA 1973 (E-1).pdf



DA 2041 Accident Report.doc



DA 2054 Authorization & Driving History Form.doc